

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ANNETTE L. TURNER,

Plaintiff,

vs.

POWER SERVICES,

Defendant.

Case No. 2:11-cv-00190-PMP-PAL

Motion to Extend and Vacate  
ENE Conference (#34)

This matter comes before the Court on Defendant's Motion to Extend Time to File ENE Statement and to Vacate the ENE Until After the Court Rules on the Motion to Dismiss (#34), filed on June 7, 2012. On April 30, 2012, the Court scheduled an ENE conference for June 15, 2012, and ordered the confidential ENE statements due no later than June 8, 2012. (*See* # 30.) Shortly thereafter, on May 3, 2012, the Court granted Defendant's First Motion to Dismiss (#21), dismissing Plaintiff's Complaint (#9) with leave to amend. On June 4, 2012, Plaintiff filed her Amended Complaint (#34). On June 7, 2012, Defendant filed a Motion to Dismiss (#35), arguing that Plaintiff merely "copied and pasted the substance of her Response to Defendant's Motion to Dismiss" and filed it as her Amended Complaint.

Defendant now requests the Court extend the time for filing the ENE statements and vacate the scheduled ENE in light of the pending Motion to Dismiss (#35). Defendant argues it currently has no way of knowing what claims Plaintiff is alleging in her Amended Complaint (#33), and therefore an ENE conference at this stage of the litigation would be futile. The Court finds Defendant has established good cause to continue the ENE conference until after ruling on Defendant's Motion to Dismiss (#35). Accordingly,

1           **IT IS HEREBY ORDERED** that Defendant's Motion to Extend Time to File ENE  
2 Statement and to Vacate the ENE Until After the Court Rules on the Motion to Dismiss (#34) is  
3 **granted**. The ENE conference scheduled for June 15, 2012 is **vacated**. Upon ruling on Defendant's  
4 Motion to Dismiss (#35), the Court will re-schedule the ENE conference if necessary.

5           DATED this 8th day of June, 2012.

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8           GEORGE FOLEY, JR.  
9 United States Magistrate Judge  
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